



396.43501X00

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Applicants: Hiroshi MATSUNAGE, et al.
Serial No.: 10/777,085
Filed: February 23, 2004
Title: CLEANING SOLUTION AND CLEANING
SOLUTION USING THE SOLUTION
Group: 1751
Examiner: Delcotto, Gregory R.
Confirmation No.: 4120

RESPONSE

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

February 21, 2006

Sir:

In response to the Office Action mailed January 18, 2006, Applicants respectfully elect the Group I claims (that is, claims 1-18 and 21-38) for prosecution on the merits in the above-identified application. This election is made with traverse, for the following reasons.

Thus, the Examiner contends that restriction is proper because the composition of the Group I claims can be used in a materially different method such as in a process of cleaning textiles. However, note that claim 1, the sole independent claim in the application, recites a cleaning solution for semiconductor substrates. Compare with the process claims, claims 19, 20, 39 and 40, reciting a process for cleaning semiconductor substrates, and which are dependent on respective cleaning solution claims. Accordingly, it is respectfully submitted that the presently claimed cleaning solution, as claimed, is consistent with the process

claims, as claimed, such that restriction therebetween is improper. In this regard, it is respectfully submitted that the subject matter of the present claims, as claimed, must be considered in determining whether restriction is proper. See Manual of Patent Examining Procedure (MPEP) 806.05(h).

Moreover, it is noted that the Examiner has set forth that the materially different method in which the composition of Group I can be used, is a process "of cleaning textiles." Noting that the cleaning solution, according to the present invention, for semiconductor substrates, includes, inter alia, an oxidizing agent, an acid and a fluorine compound, it is respectfully submitted that the Examiner has not satisfied his burden, for establishing distinct inventions.

Furthermore, the Examiner's attention is directed to MPEP 803, stating, in pertinent part, that if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. Noting especially that the present solution claims recite a cleaning solution for semiconductor substrates, while the process claims recite a process for cleaning semiconductor substrates, it is respectfully submitted that all of the present claims fall within the guidelines of MPEP 803, with respect to examination of an entire application.

In any event, note that Applicants have elected the claims directed to the cleaning solution for semiconductor substrates. It is respectfully suggested that where the cleaning solution for semiconductor substrates is patentable, then the use of such cleaning solution in a process for cleaning semiconductor substrates, dependent on respective cleaning solution claims, must also be allowable. Accordingly, when the Examiner allows claims directed to the cleaning solution, the

Examiner is respectfully requested to re-join the claims directed to the process for cleaning semiconductor substrates, using such solution.

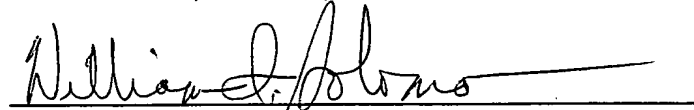
In view of the foregoing, reconsideration and withdrawal of the restriction requirement set forth in the Office Action mailed January 18, 2006, and examination of all claims presently pending in the above-identified application, in due course, are respectfully requested.

In any event, Applicants respectfully elect the Group I claims, claims 1-18 and 21-38, directed to a cleaning solution for semiconductor substrates, this election being made with traverse. Moreover, upon allowance of claims directed to the cleaning solution for semiconductor substrates, it is respectfully requested that the Examiner reconsider and re-join the process claims in the above-identified application, to be allowed therein.

If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 396.43501X00).

Respectfully submitted,
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WIS/vvr